

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CLEAR CHANNEL OUTDOOR, LLC,

Plaintiff,

-against-

CITY OF NEW ROCHELLE, *et al.*,

Defendants.

VECTOR MEDIA, LLC

Plaintiff,

-against-

CITY OF NEW ROCHELLE, *et al.*,

Defendants.

USDC SDNY
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No. 20 Civ. 9296 (NSR) (AEK)

No. 21 Civ. 266 (NSR) (AEK)

ORDER ON REMAINING COUNTS AND FEE PETITION DEADLINE

On May 7, 2024, this Court entered an Opinion and Order resolving cross-motions for summary judgment on Counts I–VIII, X, and XI in the Complaint filed by Clear Channel Outdoor, LLC (the “Clear Channel Complaint”) and Counts I–VIII and X in the Complaint filed by Vector Media, LLC (the “Vector Complaint”). (ECF No. 254.) On October 20, 2022, this Court entered partial summary judgment in favor of Plaintiffs on Count IX of Clear Channel’s Complaint to the extent it sought a declaratory judgment that New Rochelle Code § 270-16 does not apply to any billboard erected after March 20, 2001. (ECF No. 190.)

No party sought summary judgment on Count XII of the Clear Channel Complaint or Count IX of the Vector Complaint, both of which assert tortious interference with contract and

prospective business relations. All parties have stipulated that these remaining counts may be dismissed without prejudice. It is therefore ORDERED as follows:

1. Count XII of the Clear Channel Complaint and Count IX of the Vector Complaint are DISMISSED without prejudice.

2. Any application for attorney's fees and costs shall be filed within 60 days of the Court's entry of final judgment.

3. The Court directs the Clerk of Court to enter final judgment in Case No. No. 20 Civ. 9296 (NSR) (AEK) as follows: Judgment in favor of Clear Channel on Counts II, VII, and IX, and in favor of Defendants on Counts I, V, VI, X, and XI. Counts III, IV, VIII, and XII are dismissed without prejudice. Defendants are ENJOINED from removing or ordering the removal of any billboard owned by Clear Channel Outdoor within the City of New Rochelle without just compensation and procedure in accordance with New York's Eminent Domain Procedure Law.

4. The Court directs the Clerk of Court to enter final judgment in Case No. No. 21 Civ. 266 (NSR) (AEK) as follows: Judgment in favor of Vector Media on Counts II and VII and in favor of Defendants on Counts I, V, VI, and X. Counts III, IV, VIII, and IX are dismissed without prejudice. Defendants are ENJOINED from removing or ordering the removal of any billboard owned by Vector Media within the City of New Rochelle without just compensation and procedure in accordance with New York's Eminent Domain Procedure Law.

5. The Clerk of Court is respectfully directed to close these cases.

Dated: March 21, 2025
White Plains, NY

SO ORDERED:

A handwritten signature in blue ink, appearing to read "Nelson S. Román", is written over a horizontal line.

NELSON S. ROMÁN
United States District Judge